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CASE 1-22531/US/AO/UBT 2

CERTIFICATE OF MAILING

Hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

ANDREA DeGroot  
Type or print name

Andrea DeGroot  
Signature

6/10/02  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

IN RE APPLICATION OF

HANS-WERNER SCHMIDT ET AL

APPLICATION NO: 09/914,700

FILED: AUGUST 31, 2001

FOR: NUCLEATORS FOR CRYSTALLIZABLE  
THERMOPLASTIC POLYMERS

Group Art Unit:

Examiner:

JUN 27 2002

TECH CENTER 1600/2900

RECEIVED  
JUL - 1 2002  
TC 1700

TECHNOLOGY CENTER 1700

JUN 24 2002

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Assistant Commissioner for Patents  
Washington, D.C. 20231

COMMUNICATION

Dear Sir:

Enclosed please find a copy of substitute Declaration and Power of Attorney. The previously filed Declaration and Power of Attorney included a reference to an incorrect date for a priority document. Applicants further ask that the request presented in a Letter mailed on February 20, 2002 seeking correction of the filing receipt be withdrawn.

Respectfully submitted,

David R. Crichton

David R. Crichton  
Attorney for Applicants  
Reg. No. 37,300

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Encl.

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**DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS**

☐ Original ☐ Supplemental ☐ Substitute

☒ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Nucleators for crystallizable thermoplastic polymers**

which is described and claimed in:

- ☐ the attached specification.
- ☐ the specification in U.S. Application No. \_\_\_\_\_, and as amended on \_\_\_\_\_ (if applicable).  
(day/month/year) (day/month/year)
- ☒ the specification in International Application No. **PCT/EP 99/01429**  
filed **05/03/99**  
(day/month/year)
- assigned U.S. Application No. **09/914,700** (if applicable), and as amended
- ☐ under PCT Article 19 on \_\_\_\_\_ (if applicable)  
(day/month/year)
- ☐ under PCT Article 34 on \_\_\_\_\_ (if applicable)  
(day/month/year)
- ☐ and further amended on \_\_\_\_\_ (if applicable)  
(day/month/year)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known by me to be material to the patentability of this application as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America relating to this subject matter having a filing date before that of the application on which priority is claimed:

COUNTRY/REGION  
(OR PCT)

APPLICATION No.

FILING DATE  
(day/month/year)

PRIORITY CLAIMED

Europ an Patent

98103812.8

04/03/98

☐ Yes ☒ No  
☐ Yes ☐ No  
☐ Yes ☐ No  
☐ Yes ☐ No  
☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119 (e) of any United States provisional application(s) listed below:

APPLICATION NO.

FILING DATE  
(day/month/year)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the application discloses and claims subject matter in addition to that disclosed in the prior copending application, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. APPLICATION  
No.

FILING DATE  
(day/month/year)

STATUS

☐ Patented ☐ Pending ☐ Abandoned  
☐ Patented ☐ Pending ☐ Abandoned  
☐ Patented ☐ Pending ☐ Abandoned  
☐ Patented ☐ Pending ☐ Abandoned  
☐ Patented ☐ Pending ☐ Abandoned

PCT APPLICATION  
No.  
(designating the U.S.)

INTERNATIONAL  
FILING DATE  
(day/month/year)

U.S. APPLICATION  
No.  
(if any)

STATUS

☐ Patented  
☐ Pending  
☐ Abandoned

I hereby appoint the following attorneys and agents, associated with Customer No. 000324, each of them with full power of substitution, revocation and appointment of associates, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Luther A. R. Hall (Reg. No. 27,337), JoAnn L. Villamizar (Reg. No. 30,598), Kevin T. Mansfield (Reg. No. 31,635), David R. Crichton (Reg. No. 37,300), Michele A. Kovaleski (Reg. No. 37,865) and Tyler A. Stevenson (Reg. No. 46,388).

Address all correspondence associated with Customer No. 000324 to ***Ciba Specialty Chemicals Corporation, Patent Department, 540 White Plains Road, P.O. Box 2005, Tarrytown, NY 10591-9005.***

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first joint inventor      **SCHMIDT Hans-Werner**

Inventor's signature       Date 20/03/2002  
(day/month/year)

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Full name of second  
joint inventor, if any

**SCHILDBACH Th mas**

Inventor's signature



Date

30/05/2002

(day/month/year)

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